



04/05/2004 17:33 FAX

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PTO/SB/01 (08-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | |
|---|--------------------------|------------------|
| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | Attorney Docket Number | SYR-MVAS-5001-C1 |
| | First Named Inventor | Broun |
| | COMPLETE IF KNOWN | |
| | Application Number | 10/758,291 |
| | Filing Date | 1/14/2004 |
| | Art Unit | 1643 |
| Examiner Name | Not Yet Assigned | |

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CRYSTALLIZATION OF MVAS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 01/14/2004 as United States Application Number or PCT International

Application Number 10/758,291 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION – Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number: 32793 OR ☒ Correspondence address below

Name
 David J. Weitz, Symx, Inc.

Address
 10410 Science Center Drive

City San Diego State CA ZIP 92121

Country US Telephone (858) 622-8528 Fax (858) 550-0992

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any]) Alexei Family Name or Surname Brooun

Inventor's Signature  Date 03/31/04

Residence: City San Diego State CA Country US Citizenship Ukraine

Mailing Address
 3937 Camino Lindo

City San Diego State CA ZIP 92122 Country US

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any]) David J. Family Name or Surname Hosfield

Inventor's Signature  Date 03/31/04

Residence: City San Diego State CA Country US Citizenship Canada

Mailing Address
 856 Wilbur Avenue

City San Diego State CA ZIP 92109 Country US

☒ Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

[Page 2 of 2]

PTO/SB/02A (08-03)

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| DECLARATION | | ADDITIONAL INVENTOR(S) Supplemental Sheet | |
|--|----------|---|--------------------|
| | | Page 1 of 1 | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Robert J. | | Skene | |
| Inventor's Signature <i>Rob Skene</i> | | Date 03-16-04 | |
| Residence: City San Diego | State CA | Country US | Citizenship Canada |
| Mailing Address 9245 Regents Road, M111 | | | |
| Mailing Address | | | |
| City San Diego | State CA | Zip 92037 | Country US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Leslie W. | | Tarl | |
| Inventor's Signature <i>[Signature]</i> | | Date Feb 27/04 | |
| Residence: City San Diego | State CA | Country US | Citizenship Canada |
| Mailing Address 13641 Calderon Rd | | | |
| Mailing Address | | | |
| City San Diego | State CA | Zip 92129 | Country US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Sheng | | Ye | |
| Inventor's Signature | | Date | |
| Residence: City Allen | State TX | Country US | Citizenship China |
| Mailing Address 1419 Greenwich Drive | | | |
| Mailing Address | | | |
| City Allen | State TX | Zip 75013 | Country US |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/02A (08-03)

Approved for use through 07/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| DECLARATION | | ADDITIONAL INVENTOR(S) Supplemental Sheet | |
|--|----------|---|--------------------|
| | | Page 1 of 1 | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Robert J. | | Skene | |
| Inventor's Signature | | Date | |
| Residence: City San Diego | State CA | Country US | Citizenship Canada |
| Mailing Address 9245 Regents Road, M111 | | | |
| Mailing Address | | | |
| City San Diego | State CA | Zip 92037 | Country US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Leslie W. | | Tan | |
| Inventor's Signature | | Date | |
| Residence: City San Diego | State CA | Country US | Citizenship Canada |
| Mailing Address 13841 Calderon Rd | | | |
| Mailing Address | | | |
| City San Diego | State CA | Zip 92129 | Country US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Shang | | Ye | |
| Inventor's Signature | | Date 3/22/04 | |
| Residence: City Allen | State TX | Country US | Citizenship China |
| Mailing Address 1419 Greenwich Drive | | | |
| Mailing Address | | | |
| City Allen | State TX | Zip 75013 | Country US |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.83. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR 05 2004

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Form PTO-1595

(Rev. 03/01)

OMB No. 0851-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

PATENTS ONLY

Docket No. SYR-MVAS-5001-C1

To the honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Alexei Brooun
David J. Hosfield
Robert J. Skene
Leslie W. Tarl
Sheng Ye

2. Name and address of receiving party(ies)

Name: Symx, Inc.

Internal Address: _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Street Address: 10410 Science Center DriveCity: San Diego State: CA Zip: 92121Additional name(s) & address(es) attached? ☐ Yes ☒ NoExecution Date: 03/31/2004; 03/16/2004; 02/27/2004;
03/22/2004

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) 10/758,291

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David J. WeitzSymx, Inc.

Internal Address: _____

Street Address: 10410 Science Center DriveCity: San Diego State: CA Zip: 92121

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41). \$40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

50-2256

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*David J. Weitz, Reg. No.: 38,362

Name of Person Signing

David J. Weitz
SignatureApril 5, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 4Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231



Patent
Attorney Docket No. SYR-MVAS-5001-C1

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, ALEXEI BROOUN, a citizen of Ukraine, DAVID J. HOSFIELD, a citizen of Canada, ROBERT J. SKENE, a citizen of Canada, LESLIE W. TARI, a citizen of Canada, and SHENG YE, a citizen of China, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled CRYSTALLIZATION OF MVAS for which application for Letters Patent of the United States of America has been filed with the U.S. Patent and Trademark Office on January 14, 2004 and assigned U.S. Application Serial No. 10/758,291; and

WHEREAS, SYRRX, INC., a corporation organized and existing under and by virtue of the laws of the **State of Delaware** and having its place of business at **10410 Science Center Drive, San Diego, California 92121** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.


NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

Patent
Attorney Docket No. SYR-MVAS-5001-C1

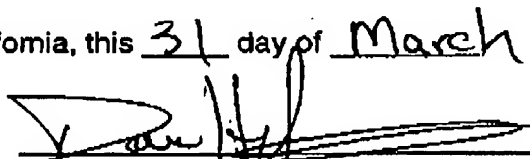
ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego, California, this 31 day of March,
2004.


ALEXEI BROOUN


WITNESS my hand at San Diego, California, this 31 day of March
2004.


DAVID J. HOSFIELD

WITNESS my hand at San Diego, California, this 16 day of March,
2004.

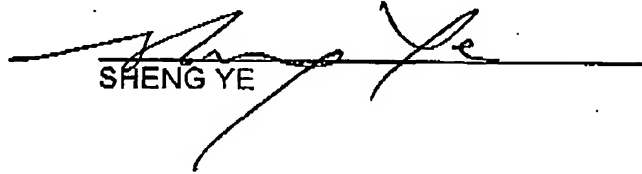

ROBERT J. SKENE

WITNESS my hand at San Diego, California, this 27 day of Feb, 2004
2004.


LESLIE W. TARI

Patent
Attorney Docket No. SYR-MVAS-5001-C1

WITNESS my hand at Allen, Texas, this 24th day of March, 2004.


SHENG YE